

IN THE UNITED STATES RECEIVING OFFICE (RO/US)
Designated/Elected Office (DO/EO/US)

U.S. National Stage of
International Application No.: PCT/US2004/026359
International Filing Date: 13 August 2004
Earliest Priority Date: 13 August 2003
Applicant: Gordon D. Ross (deceased)
Title: EFFECT OF BETA-GLUCAN ON STEM CELL
RECRUITMENT AND TISSUE REPAIR
Attorney's Docket No.: 3593.1000-003

Date: <u>13 February 2006</u> EXPRESS MAIL LABEL NO. <u>EV21488722949</u>
--

INFORMATION DISCLOSURE STATEMENT

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Information Disclosure Statement is submitted:

- ☐ under 37 CFR 1.129(a), or
(First/Second submission after Final Rejection)
- ☒ under 37 CFR 1.97(b), or
(Within any one of the following time periods: three months of filing national application (other than a CPA) or date of entry of the national stage in an international application; or before the mailing date of a first office action on the merits in a non-provisional application, including a CPA, or a Request for Continued Examination).
- ☐ under 37 CFR 1.97(c) together with either:
- ☐ a Statement under 37 CFR 1.97(e), as checked below, or
- ☐ a \$180.00 fee under 37 CFR 1.17(p), or
(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)
- ☐ under 37 CFR 1.97(d) together with:
- ☐ a Statement under 37 CFR 1.97(e), as checked below, and
- ☐ a \$180.00 fee under 37 CFR 1.17(p), or
(Filed after final action or notice of allowance, whichever occurs first, but on or before payment of the issue fee)
- ☐ under 37 CFR 1.97(i):
Applicant requests that the IDS and cited reference(s) be placed in the application
filewrapper.
(Filed after payment of issue fee)

Statement Under 37 CFR 1.97(e)

- ☐ Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Statement Under 37 CFR 1.704(d) (Patent Term Adjustment)

Applies to original applications (other than design) filed on or after May 29, 2000

- ☐ Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.
- ☒ Enclosed herewith is form PTO-1449:
 - ☒ Copies of the cited references are enclosed.
 - ☒ Copies of issued U.S. patents and published U.S. applications are not required and are not being provided.
 - ☐ Copies of the cited references are enclosed except those entered in prior application, U.S. Application No. [], to which priority under 35 U.S.C. 120 is claimed. [The earlier application contains copies of the cited references.]
 - ☒ The listed references were cited in the enclosed International Search Report in a counterpart foreign application.
 - ☐ The "concise explanation" requirement (non-English references) for reference(s) [] under 37 CFR 1.98(a)(3) is satisfied by:
 - ☐ the explanation provided on the attached sheet.
 - ☐ the explanation provided in the Specification.
 - ☐ submission of the enclosed International Search Report.
 - ☐ submission of the enclosed English-language version of a foreign Search Report and/or foreign Office Action.
 - ☐ the enclosed English language abstract.

☐ Applicant requests that the following non-published pending applications be considered:

Examiner's
Initials

____ U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []
____ U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []
____ U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []

Examiner

Date

- ☐ A copy of each above-cited application, including the current claims, is enclosed, except any application filed on or after June 30, 2003, which has been scanned into the PTO's Image File Wrapper (IFW) system and is available to the examiner.
- ☐ A copy of each above-cited application, including the current claims, is enclosed, except those entered in prior application, U.S. Application No. [], to which priority under 35 U.S.C. 120 is claimed.

The Examiner is requested to return a copy of the above list of pending applications indicating which references were considered with the next office communication.

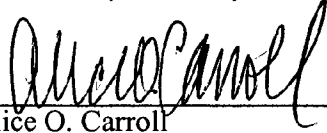
It is requested that the information disclosed herein be made of record in this application.

Method of payment:

- ☐ A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply. A copy of this Statement is enclosed.
- ☐ Please charge Deposit Account 08-0380 in the amount of \$[]. A copy of this Statement is enclosed.
- ☒ Please charge any deficiency in fees and credit any overpayment to Deposit Account 08-0380.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By 

Alice O. Carroll

Registration No.: 33,542

Telephone: (978) 341-0036

Facsimile: (978) 341-0136

Concord, MA 01742-9133
Dated: February 13, 2006

PTO-1449 REPRODUCED INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION February 13, 2006 (Use several sheets if necessary)	ATTORNEY DOCKET NO. 3593.1000-003	APPLICATION NO. 10/368261	
	FIRST NAMED INVENTOR Gordon D. Ross (deceased)		FILING DATE
	EXAMINER	CONFIRMATION NO.	GROUP

U.S. PATENT DOCUMENTS				
EXAM- INER INI- TIAL	REF. NO.	DOCUMENT NUMBER Number-Kind Code (if known)	ISSUE DATE / PUBLICATION DATE MM-DD-YYYY	NAME OF PATENTEE OR APPLICANT OF CITED DOCUMENT
D.A.D.	A1	6,713,459 B1	03-30-2004	Williams <i>et al.</i>
D.A.D.	A2	5,504,079	04-02-1996	Jamas <i>et al.</i>
	A3			
	A4			
	A5			
	A6			
	A7			
	A8			
	A9			
	A10			
	A11			
	A12			
	A13			
	A14			
	A15			
	A16			
	A17			
	A18			
	A19			
	A20			
	A21			
	A22			
	A23			
	A24			
	A25			

EXAMINER /Deborah A. Davis/	DATE CONSIDERED /5-25/10/
--------------------------------	------------------------------

PTO-1449 REPRODUCED INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION February 13, 2006 (Use several sheets if necessary)	ATTORNEY DOCKET NO. 3593.1000-003		APPLICATION NO. 10/568261	
	FIRST NAMED INVENTOR Gordon D. Ross (deceased)		FILING DATE	
	EXAMINER		CONFIRMATION NO.	GROUP

FOREIGN PATENT DOCUMENTS						
		DOCUMENT NUMBER Country Code-Number-Kind Code (if known)	DATE MM-DD-YYYY	NAME OF PATENTEE OR APPLICANT OF CITED DOCUMENT	TRANSLATION YES NO	
<input checked="" type="checkbox"/>	B1	WO 2004/014320 A2	02-19-2004	Biopolymer Engineering, Inc.		
<input type="checkbox"/>	B2					
<input type="checkbox"/>	B3					
<input type="checkbox"/>	B4					
<input type="checkbox"/>	B5					
<input type="checkbox"/>	B6					
<input type="checkbox"/>	B7					
<input type="checkbox"/>	B8					
<input type="checkbox"/>	B9					
<input type="checkbox"/>	B10					
<input type="checkbox"/>	B11					
<input type="checkbox"/>	B12					
<input type="checkbox"/>	B13					
<input type="checkbox"/>	B14					
<input type="checkbox"/>	B15					
<input type="checkbox"/>	B16					
<input type="checkbox"/>	B17					
<input type="checkbox"/>	B18					
<input type="checkbox"/>	B19					
<input type="checkbox"/>	B20					
<input type="checkbox"/>	B21					
<input type="checkbox"/>	B22					
<input type="checkbox"/>	B23					
<input type="checkbox"/>	B24					

EXAMINER <input checked="" type="checkbox"/> Deborah A. Davis/	DATE CONSIDERED <input checked="" type="checkbox"/> 5-25-10/
---	---

PTO-1449 REPRODUCED INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION February 13, 2006 (Use several sheets if necessary)	ATTORNEY DOCKET NO. 3593.1000-003	APPLICATION NO. 10/368261	
	FIRST NAMED INVENTOR Gordon D. Ross (deceased)		FILING DATE
	EXAMINER	CONFIRMATION NO.	GROUP

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)		
D.A.D.	C1	Patchen, <i>et al.</i> , "Stimulated Hemopoiesis and Enhanced Survival Following Glucan Treatment in Sublethally and Lethally Irradiated Mice", <i>Int. J. Immunopharmac.</i> , 7(6):923-932 (1985).
	C2	Patchen <i>et al.</i> , "Soluble Polyglycans Enhance Recovery from Cobalt-60-Induced Hemopoietic Injury", <i>J. Biological Response Modifiers</i> , 3:627-633 (1984).
	C3	Li, Chuanfu <i>et al.</i> , "(1-3)- β -D-Glucan Reduces Infarct Size in Rat Hearts: Correlated with Blunting of NF- κ B Activation", <i>Annual Meeting of the Federation of American Societies for Experimental Biol.</i> ; Orlando, FL, 15(5):A1140, Abstract XP009052145 (8 March 2001).
	C4	Li, Yuehua <i>et al.</i> , "Modulating Toll-like Receptor Signaling by (1-3)-beta-D-Glucan Rapidly Induces Cardioprotection from Ischemic Injury", <i>FASEB Meeting on Experimental Biology: Translating the Genome</i> ; San Diego, CA, 17(4-5): Abstract XP002339761 (March 2003).
	C5	Cramer <i>et al.</i> , "Role of the Complement System and LPS in Bone Marrow Repair After Myelotoxic Injury", <i>Molecular Immunology</i> , 41(2-3):223-224, Abstract (June 2004).
	C6	Ross <i>et al.</i> , "Newly Identified Function for the Complement (C) System in Regulating Hematopoiesis and Bone Marrow Reconstitution After Radiation Injury", <i>Experimental Hematology</i> , 31(7):235-236, Abstract XP-002339757 (July 2003).
	C7	
	C8	
	C9	
	C10	
	C11	
	C12	
	C13	
	C14	

EXAMINER /Deborah A. Davis/	DATE CONSIDERED /5-25-10/
--------------------------------	------------------------------